

## UTILITIES SERVICE BOARD MEETING

January 12, 2004

UTILITIES SERVICE BOARD MEETINGS ARE RECORDED ELECTRONICALLY OR STENOGRAPHICALLY AND ARE AVAILABLE DURING REGULAR BUSINESS HOURS IN THE OFFICE OF THE DIRECTOR OF UTILITIES.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:01 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Tom Swafford, Dick Eherenman, Tim Henke, Sam Vaught, Jeff White, and Alisa Brown. Staff members present: Patrick Murphy, Steve Saulter, Steve Drake, Margaret Marko, Tom Staley, Mike Butcher, Mike Bengtson, Mike Hicks, John Langley, Nathan Schulte, Rebecca Lambert, City of Bloomington Corporation Counsel Kevin Robling, Assistant City Attorney Patricia Bernens, and City of Bloomington Director of Employee Services Daniel Grundmann. Also present: Geoff McKim and Bob Poortinga representing TSC, Rick Coppock, Mike Farmer, Mark Schmitter, George Hegeman, Fred Prall, and Michael Snapp. (A sign-up list of those present is attached to the minutes.)

### ROLL CALL:

6 members present.

### MINUTES:

Board members were presented with copies of minutes for both the December 15, 2003, and December 29, 2003, meetings. Board President Swafford informed Board members that the copy of the December 29, 2003, minutes that was included in packets for this meeting were incorrect. The minutes were changed by the secretary and now read that the meeting was called to order by Vice President Ehman.

EHERENMAN MOVED AND HENKE SECONDED TO APPROVE THE MINUTES OF THE DECEMBER 15, 2003, MEETING AS PRESENTED AND THE DECEMBER 29, 2003, MEETING AS AMENDED. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

### CLAIMS:

VAUGHT MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE CLAIMS AS FOLLOWS:

CLAIMS 0490086 THROUGH 0490170 INCLUDING \$160,671.72 FROM THE WATER OPERATIONS & MAINTENANCE FUND FOR A TOTAL OF \$160,671.72 FROM THE WATER UTILITY; CLAIMS 0430042 THROUGH 0430061 INCLUDING \$145,432.01 FROM

THE WASTEWATER OPERATIONS & MAINTENANCE FUND AND \$1,401.21 FROM THE WASTEWATER CONSTRUCTION FUND FOR A TOTAL OF \$146,833.22 FROM THE WASTEWATER UTILITY; AND CLAIMS 0470003 THROUGH 0470005 INCLUDING \$11,745.72 FROM THE WASTEWATER/STORMWATER FUND FOR A TOTAL OF \$11,745.72 FROM THE WASTEWATER/STORMWATER UTILITY. TOTAL CLAIMS APPROVED – \$319,250.66. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### ELECTION OF OFFICERS FOR 2004:

Board member Vaught stated that members of the nominating committee recommend that Tom Swafford and Jeff Ehman serve as officers again this year:

President – Tom Swafford  
Vice President – Jeff Ehman

No further nominations were forthcoming; therefore, the following motion was presented:

VAUGHT MOVED AND WHITE SECONDED THE MOTION TO RE-ELECT TOM SWAFFORD AS PRESIDENT AND JEFF EHMAN AS VICE PRESIDENT FOR 2004. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### APPOINTMENT OF DIRECTOR OF UTILITIES:

Board members were presented with a Resolution approving the appointment of Patrick Murphy as Director of the Utilities Department effective January 1, 2004. (A copy of the Resolution is attached to the minutes.)

EHENMAN MOVED AND WHITE SECONDED THE MOTION TO APPROVE THE APPOINTMENT OF PATRICK MURPHY AS DIRECTOR OF THE UTILITIES DEPARTMENT EFFECTIVE JANUARY 1, 2004. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### AMENDMENT OF TSC CONTRACT FOR 2003:

Board members were presented with a revised document for this action. Assistant City Attorney Jennifer Lloyd revised the original contract presented and offered a short First Amendment to Agreement for Consulting Services. (A copy of each document is attached to the minutes.) Geoff McKim, representing TSC, explained the request for amendment of the contract.

EHENMAN MOVED AND HENKE SECONDED THE MOTION TO APPROVE THE FIRST AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

**TSC MAINTENANCE CONTRACT FOR 2004:**

Board members were presented with a TSC Maintenance Contract for 2004. (A copy of the document is attached to the minutes.) Geoff McKim, representing TSC, briefly explained the contract.

EHERENMAN MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE THE TSC MAINTENANCE CONTRACT FOR 2004. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

**SRF SIGNATORY RESOLUTION FOR DISBURSEMENT REQUEST INFORMATION FORMS:**

Finance Manager Butcher presented Board members with an SRF Signatory Resolution for Disbursement Forms. (A copy of the Resolution is attached to the minutes.) Mr. Butcher explained that it was necessary to have more than one person authorized to sign these forms. The Resolution authorizes Director Patrick Murphy, Assistant Director-Plants John Langley, and Assistant Director-Finance Margaret Dalle-Ave to sign the forms.

HENKE MOVED AND VAUGHT SECONDED THE MOTION TO APPROVE THE SRF SIGNATORY RESOLUTION FOR DISBURSEMENT REQUEST INFORMATION FORMS. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

**SRF SIGNATORY RESOLUTION FOR SRF LOAN APPLICATIONS:**

Plant Manager-Capital Projects Hicks presented Board members with an SRF Signatory Resolution for SRF Loan Applications for improvements at the Blucher Poole Wastewater Treatment Plant and the Dillman Road Wastewater Treatment Plant. (A copy of the Resolution is attached to the minutes.)

WHITE MOVED AND HENKE SECONDED THE MOTION TO APPROVE THE SRF RESOLUTION FOR SRF LOAN APPLICATIONS. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

**SRF ACCEPTANCE RESOLUTION FOR PRELIMINARY ENGINEERING REPORT:**

Plant Manager-Capital Projects Hicks presented Board members with an SRF Acceptance Resolution for Preliminary Engineering Report for improvements at the Blucher Poole Wastewater Treatment Plant and the Dillman Road Wastewater Treatment Plant. (A copy of the Resolution is attached to the minutes.)

VAUGHT MOVED AND EHERENMAN SECONDED THE MOTION TO APPROVE THE SRF ACCEPTANCE RESOLUTION FOR PRELIMINARY ENGINEERING REPORT. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### REPORT ON FIRE EXPENDITURES:

Managerial Accountant Saulter presented Board members with a report on fire expenditures to date. (A copy of the report is attached to the minutes.) A report will also be presented at the January 26, 2003, meeting. This report should include charges made to MasterCard for fire expenditures.

#### INTERLOCAL AGREEMENT:

Board members were presented with a copy of the proposed 2004 Interlocal Agreement between the City of Bloomington Civil City and the Utilities Department. (A copy of the Agreement is attached to the minutes.)

HENKE MOVED AND WHITE SECONDED THE MOTION TO APPROVE THE INTERLOCAL AGREEMENT FOR 2004. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### OLD BUSINESS:

No old business was presented.

#### NEW BUSINESS:

Board members were presented with a Resolution to approve the authorization of Mike Bengtson to act as agent for the Utilities Department in signing crossing permit applications for CSX Railroad on behalf of the Utilities Department. (A copy of the Resolution is attached to the minutes.) Assistant Director-Engineering Bengtson requested that this item be declared an emergency and approved at this meeting so the approved Resolution could be sent to CSX Railroad this week.

WHITE MOVED AND HENKE SECONDED THE MOTION TO DECLARE THE APPROVAL OF THIS RESOLUTION AN EMERGENCY AND TO AUTHORIZE MIKE BENGTON TO SIGN CROSSING PERMIT APPLICATIONS ON BEHALF OF THE UTILITIES DEPARTMENT. MOTION CARRIED. 6 AYES. 1 MEMBER ABSENT (EHMAN).

#### SUBCOMMITTEE REPORTS:

No subcommittee reports were presented. Board President Swafford stated that an Engineering Subcommittee meeting will be held in February to discuss the growth policy plan and that an Administrative Subcommittee meeting will be held the last week in January to discuss several customer complaints.

## STAFF REPORTS:

### Tom Staley –

Assistant Director-Transmission and Distribution Staley reported that there was a recent problem with high water and a recent main break in Hyde Park.

### Margaret Dalle-Ave –

Assistant Director-Finance Dalle-Ave reported that the electronic payment program is now on-line and that it has been working very well.

## PETITIONS AND COMMUNICATIONS:

### Financial Statement for October 31, 2003 –

Board members were presented with Financial Statement for all utilities for October 31, 2003. (A copy of the statement for each utility is attached to the minutes.) Board members reviewed the statements and asked questions about several items. Utilities Director Murphy stated that the documents would be reviewed and answers given to Board members. At the request of Board members, these answers will be presented via e-mail.

### Sam Vaught –

Board member Vaught stated that he would like to clarify who has the authority for the dismissal and appointment of the Director of Utilities. City of Bloomington Corporation Counsel Robling stated that after he assumed the duties of his office he looked into the appointment at the request of Mayor Kruzan. After checking codes, statutes, and the constitution, he determined that it was the responsibility of the Mayor to both appoint and remove from office any position classified as a Department Head. It is the responsibility of the Utilities Service Board to appoint and to remove Superintendents from duties with the Utilities Department. Mr. Robling verified his opinion with that of an outside attorney.

## ADJOURNMENT:

The meeting was adjourned at 5:56 p.m.

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L. Thomas Swafford, President